

1130 DELEGATIONS OF AUTHORITY
General Administration No. 7
Organizational Changes

Issuing Office: OMA 496-2832
Release Date: February 18, 1999

-
1. **Explanation of Material Transmitted:** This delegation grants the authority to approve organizational changes within the NIH. It is being revised to grant this authority to the Associate Director for Research Services (ADRS) to approve organizational changes in the Office of Research Services provided that there is no elevation of existing organizations and that the proposed change does not involve an increase in the number of organizations reporting directly to the ADRS.
 2. **Filing Instructions:**

Remove: NIH Manual 1130, General Administration No. 7, dated 01/02/98

Insert: NIH Manual 1130, General Administration No. 7, dated 02/18/99
 3. **Distribution:** NIH Manual Mailing Key F-402

PLEASE NOTE: For information on:

- C **Content of this delegation**, contact the issuing office listed above
- C **NIH Manual 1130**, contact the Office of Management Assessment, OA, on 496-2832
- C **NIH Manual System**, contact the Office of Management Assessment, OA, on 496-2832
- C **NIH Manual Mailing Keys**, or for a paper copy of this chapter, contact the Division of Support Services, ORS, on 496-4808
- C **URL address:** <http://www3.od.nih.gov/oma/manualchapters/>

DELEGATIONS OF AUTHORITY
Organizational Changes

Authority Delegated

The authority to approve organizational changes is delegated as follows, except those noted under Limitations:

To Whom Delegated

Area of Authority

Deputy Director, NIH

Organization changes in OD/NIH, except those that affect a direct reporting relationship to the NIH Director.

Executive Officer, OD

Organization changes in OD/NIH, except those that affect a direct reporting relationship to (1) the NIH Director, (2) the Executive Officer, OD, or (3) the Associate Director for Research Services.

Deputy Director for Management

Organization changes in ICs or the Office of Research Services that increase the number of organizations reporting directly to the IC Director or the Associate Director for Research Services, respectively. Examples include elevating an existing organizational unit to report directly to the IC Director or the Associate Director for Research Services, respectively, or creating a new organization that reports directly to those respective officials.

IC Directors

All changes to organizations within the IC including those reporting directly to the IC Director provided that there is no elevation of existing organizations (e.g., elevating a branch to division) or other increase in number of organizations reporting directly to the IC Director.

Associate Director for Research Services

Organizational changes in the Office of Research Services, including those reporting directly to the Associate Director for Research Services, provided that there is no elevation of existing organizations (e.g., elevating a branch to division) or other increase in number of organizations reporting directly to the Associate Director for Research Services.

DELEGATIONS OF AUTHORITY

Organizational Changes

All previous delegations of authority inconsistent with the provisions of this delegation are superseded.

Definition

The term “organizational change” includes:

1. Establishment, abolishment, transfer, realignment, or consolidation of one or more organizational entities;
2. Addition, abolishment, or transfer of a function or functions; and
3. Change in the official name or reporting relationship of an organizational entity.

Limitations

1. The Secretary, HHS, retains the authority to approve all reorganizations that involve:
 - a. More than one Operating Division (OPDIV)—This would include the transfer of a function, program or component from one OPDIV to another.
 - b. A statutorily-based organization—This would include: (a) the establishment of an organizational unit which must be approved by Congress; (b) the abolition of a statutorily-based organizational unit; or (c) the elimination of a function mandated to be included in such an organizational unit.
 - c. A significant reorganization which may affect the public.

For these reorganizations, if no decision is made within 30 days of receipt in the Office of the Secretary—except for a reorganization requiring Congressional approval—the OPDIV Head may approve the reorganization. For reorganizations involving more than one OPDIV, both OPDIV Heads must approve the reorganization before it becomes effective.

2. The Director, NIH, retains the authority to approve organizational changes, including establishing new organizations, that affect a direct reporting relationship to the NIH Director, with the exception of those authorities retained by the Secretary.

DELEGATIONS OF AUTHORITY Organizational Changes

3. The Director, NIH, retains the authority to approve organizational changes that involve the transfer of functions from one IC to another or between an IC and the Office of the Director.
4. Organizational changes must follow the guidance provided by the HHS General Administration Manual Chapters 8-60 and 8-65.
5. Organizational changes in the national research institutes are subject to the requirements of section 401 of the Public Health Service Act, 42 U.S.C. 281, and other provisions of title IV of the PHS Act which establish the institutes and their functions.

Accountability

1. Each IC Director must develop a list of significant (may affect the public) organizational changes that are expected to take place in the IC each fiscal year. This list will be provided to the NIH Director in time to be incorporated into the NIH Director's performance agreement with the Secretary.
2. Each IC must notify the Director, Office of Management Assessment, of all organizational changes within 30 days of signature, using Form NIH 2500, Notification of Organizational Change.

Redelegation

1. Authority granted to the Deputy Director, NIH, and the Executive Officer, OD, may be redelegated, but only in such a way that the approving official may only approve changes to organizations that are two or more levels below that official.
2. Authority granted to the Deputy Director for Management may not be redelegated.
3. Authority granted to the IC Directors may be redelegated, but only in such a way that the approving official may only approve changes to organizations that are two or more levels below that official.
4. Authority granted to the Associate Director for Research Services may be redelegated, but only in such a way that the approving official may only approve changes to organizations that are two or more levels below that official.

NIH MANUAL 1130, General Administration No. 7
DATE: 2/18/99
REPLACES: 1/2/98
ISSUING OFFICE: OMA 496-2832

PAGE 4 of 4

DELEGATIONS OF AUTHORITY
Organizational Changes

Citations

1. 5 U.S.C. 302, 305, and 901; 42 U.S.C. 203, and 281.
2. HHS General Administration Manual Chapters 8-60 and 8-65.
3. NIH Manual Chapters 1121 and 1122.
4. Memorandum dated 9/27/95 from the Secretary, HHS, to Heads of Operating Divisions and the Inspector General, entitled "Delegation of Authority to Approve Reorganizations."
5. Secretary's Reorganization Plan No. 1 of 1953, Section 6.

/s/
Harold Varmus, M.D.
Director, NIH

Effective Date: February 18, 1999